

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KARLIS RUBEN AUGUSTUS
HOWARD,

Plaintiff,

v.

RODRIGUEZ,

Defendant.

No. 1:24-cv-00285-JLT-SAB (PC)

ORDER DENYING PLAINTIFF'S MOTION
FOR ISSUANCE OF SUBPOENA DUCES
TECUM

(ECF No. 27)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

On September 10, 2024, Plaintiff filed a motion for the issuance of subpoena duces tecum wherein he requests that the Court appoint the U.S. Marshals Service to serve the summons and complaint in this matter. (ECF No. 27.)

Inasmuch as the Court found that service of the third amended complaint was appropriate against Defendant Rodriguez for failure to protect and negligence, and a notice of intent to waive service was returned on August 26, 2024 (ECF No. 22), Plaintiff's present motion is DENIED as MOOT.¹

IT IS SO ORDERED.

Dated: September 10, 2024


UNITED STATES MAGISTRATE JUDGE

¹ A waiver of service of process for Defendant Rodriguez is due on or before September 25, 2024. (ECF Nos. 17, 22.)